

HOUSE BILL 1543

By Lamberth

AN ACT to amend Tennessee Code Annotated, Title 40,
Chapter 11, relative to bounty hunters.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-11-318, is amended by deleting the language "or another state" from subdivision (c)(3).

SECTION 2. Tennessee Code Annotated, Section 40-11-318, is amended by deleting subdivision (c)(4) and substituting instead the following:

(4) A pocket card certifying that the bounty hunter has completed the training required by § 40-11-401 and Section 4 of this act.

SECTION 3. Tennessee Code Annotated, Section 40-11-318, is amended by deleting the following language from subsection (f):

If the bounty hunter is from a state other than Tennessee, proof that the bounty hunter has completed an equivalent criminal history background check in the person's home state within the last year shall be provided to the appropriate law enforcement agency of the political subdivision where the taking will occur.

SECTION 4. Tennessee Code Annotated, Title 40, Chapter 11, Part 4, is amended by adding the following as a new section:

(a)

(1) In addition to the continuing education required by § 40-11-401, prior to beginning work as a bounty hunter, a person shall complete the training described in subsection (b) and pass an examination based on the training. The person shall submit proof of completion of the required training and examination to each clerk of a court having criminal jurisdiction in any county in which the

person will be engaged in bounty hunting. This proof shall show in detail the names, locations, dates, and hours of each course attended, along with the signature of the person attesting that all initial training requirements have been completed.

(2) Prospective bounty hunters shall complete at least eight (8) hours of general training administered by a certified trainer and pass an examination, covering at least the following subjects:

- (A) Legal powers and limitations of a bounty hunter;
- (B) Emergency procedures; and
- (C) General duties.

(3) For bounty hunters who will carry a club, stun gun, chemical spray, night stick, or other weapon other than a firearm, the commissioner shall require appropriate training specific to the device by an instructor who is certified to instruct for the specific device. The bounty hunter's employer shall bear the responsibility to keep training records of their employees for each specific device. The bounty hunter shall also have in the person's possession a certification card issued by a certified instructor in the legal use of the specific weapon and shall exhibit the card upon demand by any law enforcement officer.

(b) Bounty hunters who carry a firearm shall also:

(1) Complete at least eight (8) additional classroom hours of firearms training administered by a certified trainer and pass an examination covering at least the following subjects:

- (A) Legal limitations of the use of a firearm;
- (B) Handling of a firearm; and
- (C) Safety and maintenance; and

(2) Complete at least four (4) hours of marksmanship training administered by a certified trainer, and achieve a minimum of seventy percent (70%) on any silhouette target course approved by the commissioner.

(c) A certified trainer shall submit a statement to the commissioner certifying that a person has satisfactorily completed the required training within fifteen (15) days of training.

(d) As used in this section:

(1) "Certified trainer" means any individual certified by the commissioner as qualified to administer and certify to successful completion of the minimum training requirements prescribed by this section for a bounty hunter; and

(2) "Commissioner" means the commissioner of commerce and insurance or the commissioner's designee.

SECTION 5. Tennessee Code Annotated, Section 40-11-318, is amended by redesignating subsection (c) as subdivision (c)(1) and adding the following new subdivision:

(2) A bounty hunter shall not enter private property for the purpose of taking a person into custody without the express permission of the private property owner unless the bounty hunter is accompanied by a law enforcement officer who is in possession of an arrest warrant for the person or a search warrant for the private property.

SECTION 6. This act shall take effect January 1, 2019, the public welfare requiring it.